

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF MASSACHUSETTS

JOSEPH PETER SCHMITT,

Plaintiff,

v.

JEFFREY SMITH, et. al.,

Defendants

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C.A. No. 2004-10451-RWZ

PLAINTIFF'S MOTION FOR COUNSEL TO BE APPOINTED

Now come the Plaintiff, Joseph P. Schmitt, and moves this this Honorable Court for the appointment of counsel.

As grounds for said motion, Plaintiff states the following; Plaintiff has no experience litigating civil actions.

Plaintiff is alleging violations of his civil rights and is being challenged by a long time member of the Bar who has a vast amount of experience with litigation and law in general.

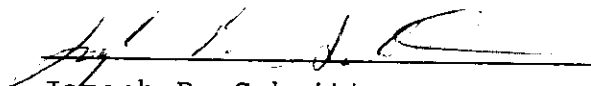
Plaintiff has reached his limited knowleged in this action and is fully unsure how to proceed from this point and eventhough the facility in which he is being temperarily detained has a law library this is of no help to Plaintiff as there is noone in said library to guide him in the proceedings to take in his civil action. Law library inmate workers are forbidden to assist other residents/detainees and the law library Department of Correction Staff members do not assist in such matters at all.

WHEREFORE, PLaintiff states that it would be a miscarriage of justice if this Honorable Court allow Plaintiff to proceed in this civil action in pro se status without benefit of experienced counsel. PLaintiff respectfully requests that this Honorable Court protect his Constitutional Rights by appointing counsel to represent him in the above captioned action.

Dated: December 23,2004

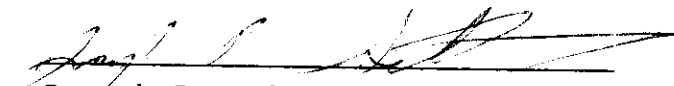
Respectfully Submitted,

PLAINTIFF



Joseph P. Schmitt  
MA. Treatment Center  
30 Administration Road  
Bridgewater, Massachusetts  
02324-3230

I hereby certify that a true copy of the above document was served upon defendants counsel, Phillip W. Silva, Esq. by pre paid first class United States Mail on December 23,2004.

  
Joseph P. Schmitt, PLaintiff